

REMARKS

Claims 1, 3, 4, 6, and 22 are currently pending. Claim 4 has been amended and claims 2, 5, and 7-21 have been canceled.

The Examiner rejected claims 1, 3, 6, and 22 under 35 U.S.C. §102(e) as being anticipated by Seem et al. (U.S. Patent No. 6,594,554) hereafter Seem.

Claim 1 defines a compressor assembly including a compressor driven by a compressor drive means and a cooling system that is configured to receive compressed fluid and includes a heat exchanger, an air circulator, and a variable speed circulator drive means that operates independently from the compressor drive means.

Seem does not teach or suggest a variable speed circulator drive means that operates independently from the compressor drive means. Rather, Seem discloses a controller 20 based around a microcomputer 22 with input circuits 26 and output circuits 28. "The input circuits 26 receive the signals from the temperature sensor 19 and the compressor 12." Column 3, line 28, 29. Based on the input from input circuit 26 the controller 20 controls a motor drive 29 which in turn operates a condenser fan 16 which forces air across a condenser 19.

The Examiner argues that the condenser fan 16 is analogous to the variable speed circulator drive. However, as stated above and as illustrated in Fig. 1, the condenser fan speed is varied at least partially in response to signals from the compressor 12 and therefore is not independent of the compressor 12.

In light of the foregoing, Seem does not teach or suggest each and every limitation of claim 1. As such, claim 1 is allowable. In addition, claims 3, 6, and 22 depend from claim 1 and are allowable.

The Examiner rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over Seem, in view of Gustafson et al. (U.S. Patent No. 6,560,980) hereafter Gustafson.

Applicant has canceled claim 2, thereby rendering the rejection moot.

The Examiner rejected claim 4 under 35 U.S.C. §103(a) as being unpatentable over Seem, in view of Derosier (U.S. Patent No. 5,551,248).

Amended claim 4 depends from claim 1 and adds that the at least one sensor is positioned between the compressor and the cooling system.

As discussed, Seem does not teach or suggest each and every limitation of claim 1, much less those of claim 4. Derosier does not cure the deficiencies of Seem. Derosier does not teach or suggest a compressor drive means that operates independently from a variable speed circulator drive means. Rather, Derosier discloses a controller 25 which controls both the compressor 23 and the condenser fan 27. Thus, the compressor and condenser fan operation are linked via the controller 25.

The Examiner cites Derosier for a teaching of a condenser fan 27 controlled at least partially in response to a sensor 30 positioned between the compressor 23 and the condenser 22. However, the Examiner does not allege, nor does Derosier teach or suggest a variable speed circulator drive means that is operated independently from a compressor drive means.

In light of the foregoing, Derosier and Seem, alone or in combination, do not teach or suggest each and every limitation of claim 1, much less claim 4. As such, claim 4 is allowable.

CONCLUSION

In light of the foregoing, Applicant respectfully submits that claims 1, 3, 4, 6, and 22 are in a condition for allowance.

The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. J. Otterlee', with a long horizontal flourish extending to the right.

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